

REMARKS

Claims 1-3, 5-12 and 14-24 are pending, with claims 1, 10, 19, and 24 being independent. Claim 4 has been cancelled. Claims 1-3, 5-12, 17-19, and 23-24 have been amended. No new matter has been added. Reconsideration and allowance of the above-referenced application are respectfully requested.

The amended independent claims are patentably distinguishable from Breggin. For example, claim 1 is distinct from Breggin because while Breggin teaches comparing the installation database with the installed database to generate exceptions or discrepancies, it does not disclose comparing successive installations on the same target computer in order to generate an installation comparison. In Breggin, the installation database is obtained from a build computer, which analyzes the software to be installed on the target computer; while the installed database is obtained from the actual installation of the software on the target computer.

Additionally, Breggin does not disclose “identifying from the installation data the dynamic attribute” as recited in amended claim 1. Further, as recited in amended claim 1, “the dynamic attribute being an attribute that should have changed between the previous software installation and the current software installation” While Breggin analyzes the install program before the installation and displays exceptions (i.e., differences or discrepancies) between the installation database and the installed database, nowhere does Breggin identify the “dynamic attribute that was not changed in the current software installation” but “should have changed between the previous software installation and the current software installation” as recited in amended claim 1.

Contrary to the Office’s contention in the advisory action, the error or warning information associated with the display of exceptions in Breggin are merely directed to making sure that attributes match between the installation database and the installed database. In contrast, the dynamic attributes of claim 1 are attributes that remain the same (but should have changed) between successive installations, which based on Breggin’s teaching, would not appear as exceptions or discrepancies.

Further, amended claim 1 recites "presenting potential problems with the current software installation **based on the identified dynamic attribute**." In contrast, not only does Breggin not identify dynamic attributes, as discussed above, Breggin also does not provide any alert or warning to the user based on the identified dynamic attributes in the installation data. This is because attributes that match or remain the same are not flagged as errors or warning in Breggin.


CONCLUSION

The foregoing comments made with respect to the positions taken in the Office Action are not to be construed as acquiescence with other positions taken in the Office Action that have not been contested. Accordingly, the above arguments for patentability of a claim should not be construed as implying that there are not other valid reasons for patentability of that claim or other claims.

Applicants ask that all claims be allowed. Please apply applicable charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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